

**FOR THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY,
MARYLAND**

Neal Willey
Jessup Correctional Institute LLC
Post Office Box 534
Jessup, Maryland 20794

Claimant

v.

Corizon Health, Inc.
Two Penns Way, Suite 200
New Castle, Delaware 19720

Defendant

Case No: C-02-CV-22-002171

COMPLAINT
(Medical Negligence)

Comes now, Neal Willey, by and through his attorney, Bert W. Kapinus, sues Corizon Health, Inc., hereafter referred to as Corizon and STATES:

1. Claimant Neal Willey at all times stated herein was an inmate at the Maryland Department of Corrections and was incarcerated at the Jessup Correctional Institution LLC in Jessup, Maryland.
2. Corizon staffed various health care departments at correctional facilities throughout the State of Maryland under contract to the State to provide medical services to inmates.
3. During all relevant times, Defendant Corizon Health, Inc. hereafter "Corizon", was a medical provider which provided treatment to inmates including the claimant.

4. Corizon provided care and treatment of inmates, including Neal Willey, from January 1, 2019 until the present.
5. The original statement of claim was filed in the Health Care Alternative Dispute Resolution Office (HCADRO) of Maryland.
6. Defendant, Corizon, waived arbitrations before the HCADRO and on December 2, 2022. The HCADRO transferred the matter to the circuit court as the alternative to the United States District Court
7. The venue to the clam is proper in Anne Arundel County, Maryland. Attached is a copy of the Order of Transfer.
8. The amount of Neal Willey's claim exceeds \$30,000.00
9. On June 2, 2019, Mr. Willey was seen by Natalie T. Bih, RN for an open blister to his left thumb.
10. On June 3, 2019 he was seen by Jewaher Abubaker, PA, for a spider bite on his right buttock. The lesion was reported to get larger and started purulent drainage the day before. Diagnosis was abscess on buttock. He was given Bactrim DS twice daily for ten (10) days, no cultures were done.
11. On June 19, 2019 he was seen by Clarice Aryiku, NP. He had genital skin rash and itching. The diagnosis was herpes simplex treated with Acyclovir 400 milligrams only twice daily and prednisone 10 milligrams daily.

12. On July 2, 2019, he had two (2) large, infected areas on his stomach and left leg.
13. On July 5, 2019 he was seen by Clarice Aryiku, NP, and reported boils on lower abdomen and back of thigh. He had cellulitis of right ankle and foot. He was diagnosed to have a carbuncle on the lower abdomen and upper back, and cellulitis and abscess on right foot. He was given Bactrim DC twice daily for 10 days and Keflex 500 milligrams only twice daily for 14 days, no cultures were done.
14. July 11, 2019, he reported constipation and pain. X-rays done on July 2, 2019, showed no fracture, etc. Assessment was constipation and lumbago. Dressings changes were made to abdomen and left ankle wounds. He was given Keflex 500 milligrams twice daily for 14 days and Bactrim DS twice daily for 10 days by Clarice Aryiku, NP.
15. On July 24, 2019, the medical records showed that he had a prostrate infection.
16. On August 8, 2019 he reported that he had developing infections on his buttocks for the past three (3) days. He said he needed a culture done and needed antibiotics; his temperature was 99.1. He said that it happened twice in the past three (3) months. There is no mention of any treatment given or cultures done.
17. On August 12, 2019 he was seen by Electra A. Awangar, NP. Claimant complained of boils on his left buttocks. On exam, the area was swollen, red, soft and drainage was present. He was started on Bactrim DS for seven (7) days. There is no mention of any treatment given or cultures done.

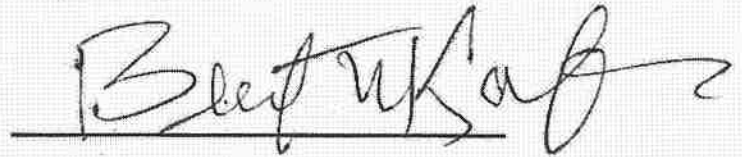
18. It appears that claimant developed MRSA due to an inappropriate treatment with Bactrim DS and Keflex given without cultures done. Keflex was given only twice daily. The correct dosage of Keflex is four (4) times daily. It is a short acting antibiotic.
19. The staphylococcus aureus in the abscesses in various areas become resistant to the antibiotics due to inadequate dosage and lack of cultures and any sensitivity being done. There was no identification of the organism, no culture and sensitivity studies being done. The staph organism became MRSA which infected the mitral valve by November 2019.
20. Previously, he had only mild mitral valve regurgitation. The mitral valve looked normal as evidenced by the echocardiogram of 10/31/2018. He developed endocarditis, a large vegetation on the mitral valve.
21. Septic emboli from the mitral valve vegetation caused multiple brain emboli causing stroke, splenic infarct, liver abscesses, multiple kidney infarcts, kidney failure, paraspinal abscess, etc.
22. In addition to kidney failure, he developed heart failure.
23. On November 25, 2019, he was admitted to the hospital, blood cultures were positive for MRSA. He was diagnosed to have endocarditis a 1.9 cm mitral valve vegetation and MRSA bacteremia. CAT scans revealed embolic stroke, spinal epidural abscess, splenic infarct, liver abscess, multiple brain emboli; he also developed endophthalmitis.

24. He was started on intravenous vancomycin for MRSA bacteremia. He had cardiac catheterization on November 26, 2019. He was operated on November 27, 2019 involving micro valve replacement and transferred to intensive care unit.
25. He was discharged on December 26, 2019. His prognosis is poor.
26. Corizon and through its agents and employees caused a significant breach in the standard of care in not doing blood cultures from multiple draining abscesses and treating blindly with antibiotics not knowing if they were going to be effective. In addition, inadequate dosing further compounded the problem. Multiple septic emboli from the infected mitral valve caused multiple organ damages.
27. The subsequent procedures and surgeries after his initial complaints of infections would not have been necessary if initially claimant had received the proper medications and proper dosages required. The failure to provide the proper medications and treatments were significant breaches of the standard of care. Consequently, he had continuous pain and significant injury to his heart, kidney, and other organs, The injuries he sustained increased the harm to the patient and resulted in significant disabilities.
28. By failing to properly treat the claimant Corizon and its agents and employees breached the standard of care and further breached its duty to seek proper treatment for claimant.

29. Mr. Willey was in no way contributorily negligent and relied upon the expertise of Corizon's named agents and employees to provide proper medication for his serious medical condition. As a result of Corizon's failure to treat Mr. Willey, he had significant bodily injuries.

Wherefore, claimant demands damages and compensation for all injuries and losses past, present, and future, which he has sustained, is sustaining, or will sustain in the future of which was caused by the negligence of the defendant's agents and employees without any negligence by claimant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bert W. Kapinus", written over a horizontal line.

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Plaintiff Requests a Jury Trial as to all issues.

A handwritten signature in black ink, appearing to read "Bert W. Kapinus", written over a horizontal line.
Bert W. Kapinus